IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 555/2006

SHANKAR LAL Vs. LALITA & ANR.

Date of order: 20.02.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. Sanjay Mehrishi for the petitioner.
Mr. A.K. Khan for the respondents.

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This revision petition under Section 397 r/w Section 402 Cr.P.C. is directed against the order dated 27.04.2006 passed by the Family Court, Kota in Criminal Case No. 1082/2003, by which the application of the respondent wife and minor children moved under Section 127 Cr.P.C. has been allowed and maintenance amount has been enhanced to Rs. 1,000/- per month for each of the respondent from the date of filing of the application i.e. 04.11.2003.

I have considered the rival submissions of the respective parties and have also gone through the impugned judgment dated 27.04.2006 passed by the Family Court, Kota.

So far as enhancement of maintenance amount is concerned, I find no illegality or error apparent on

the face of the record in the impugned judgment dated 27.04.2006, but having considered the submissions made by the learned counsel for the petitioner that it should be made effective from the date of the judgment and not from the date of filing of the application, to this effect, I deem it proper to modify the impugned judgment dated 27.04.2006 passed by the Family Court, Kota to the extent that the enhancement of maintenance will be effective from the date of passing of the judgment i.e. 27.04.2006.

Accordingly, the impugned judgment dated 27.04.2006 passed by the Family Court, Kota is modified as indicated herein above and the revision petition stands disposed of.

(K.S. RATHORE),J.

/KKC/